

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL SMITH,

Plaintiff,

V.

TAMMY NICKULA, DENNIS
CHERRY, PAT GLEBE, JOHN DOE,
JANE DOE.

Defendants.

CASE NO. C12-5774 RBL-KLS

ORDER GRANTING MOTION TO STAY DISCOVERY

Before the Court is Defendants' motion to stay discovery. ECF No. 11. Defendants have motion to dismiss, which is noted for November 30, 2012. ECF No. 12. The Court finds defendants' request is reasonable and that a stay of discovery is warranted pending the s consideration of the motion to dismiss.

DISCUSSION

The court has broad discretionary powers to control discovery. *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). Upon showing of good cause, the court may deny or limit discovery. Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while a dispositive motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922 (9th Cir. 1989), amended at 906 F.2d 465 (9th Cir. 1990) *Rae v. Union Bank*, 725 F.2d 478 (9th Cir. 1984).

In their motion to dismiss, Defendants argue that Plaintiff's claims should be dismissed because he has failed to state a claim for relief. ECF No. 12. Thus, neither the parties nor this

1 Court should be burdened with the expense of discovery and discovery motions pending the
2 Court's decision on Defendants' motion as it may affect all or some of Plaintiff's claims.

3 Accordingly, it is **ORDERED**:

4 (1) All discovery in this matter is **STAYED** pending further order of this Court.
5 (2) The Clerk shall send a copy of this Order to Plaintiff and to counsel for
6 Defendants.

7 **DATED** this 30th day of November, 2012.

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10 Karen L. Strombom

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12 United States Magistrate Judge
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